

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,  
INTERNAL REVENUE SERVICE,

Plaintiff,

v.

ESTATE OF ELAINE F. ELLIS,  
FREDERICK P. ELLIS, personal representative,

Defendant.

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ORDER

11-cv-096-wmc

On February 8, 2011, the Internal Revenue Service filed with the district court a “notice of removal” of Probate Case No. 09 IN 156 from the Wood County Circuit Court to this court in order to challenge a January 1, 2011, order requiring the IRS to produce “all tax returns of Roger Lee Ellis from and after the 1976 tax year and the most recent address and the most recent employer of Roger Lee Ellis.”

ORDER

IT IS ORDERED that:

- (a) the IRS shall file by February 25, 2011, a brief setting forth the statutory basis for removing this state court action pursuant to 28 U.S.C. § 1442(a)(1) and for this court’s exercise of subject matter jurisdiction over it; any response shall be filed by March 4, 2011; and no reply shall be filed unless expressly requested by the court;

(b) the IRS shall file by March 11, 2011, its contemplated motion for revocation of the circuit court's January 1, 2011 order to the IRS; the defendant may respond by April 1, 2011; and the IRS may reply by April 11, 2011.

Entered this 18th day of February, 2010.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge